



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Ecker, et al.

Serial No.: 09/076,404

Group Art Unit: 1643

Filing Date: May 12, 1998

Examiner: Not Assigned

For: MODULATION OF MOLECULAR INTERACTION SITES ON RNA  
AND OTHER BIOMOLECUESDATE OF DEPOSIT: July 13, 1998

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID  
ON THE DATE INDICATED ABOVE AND IS ADDRESSED  
TO THE ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, DC 20231.

  
TYPED NAME: Paul K. Legaard  
REGISTRATION NO.: 38,534

Assistant Commissioner for Patents

Washington DC 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND  
(37 CFR 1.28(a))

## I. SUBMISSION OF STATEMENT

(complete (a) or (b))

- (a)  Attached is a statement claiming small entity status in this application.
- (b)  A statement claiming small entity status was filed in this application on @@

## II. REFUND REQUEST

This request for refund is made within two months of the date a fee was paid in this application on May 12, 1998, in the amount of \$395.00.

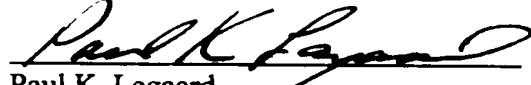
## III. FEES PAID FOR WHICH REFUND REQUESTED

<b>FEE PAID:</b>	<b>AMOUNT OF REFUND REQUESTED:</b>
Filing Fee	\$395.00
Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e) or 37 CFR 1.16(l))	\$
Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$
Extension of Term	\$
Issue Fee	\$
Patent Maintenance	\$
<input type="checkbox"/> First Maintenance Fee	
<input type="checkbox"/> Second Maintenance Fee	
<input type="checkbox"/> Third Maintenance Fee	
Patent Maintenance Fee Surcharge	\$
Other:	\$
<b>TOTAL REFUND REQUESTED:</b>	<b>\$395.00</b>

IV. **MANNER OF REFUND**

Please make refund by

- crediting Deposit Account No. 23-3050.
- refunding overpayment.

Date: *July 13, 1998*
  
 Paul K. Legaard  
 Registration No. 38,534

 Woodcock Washburn Kurtz  
 Mackiewicz & Norris LLP  
 One Liberty Place - 46th Floor  
 Philadelphia PA 19103  
 Telephone: (215) 568-3100  
 Facsimile: (215) 568-3439

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RECEIPT

APR 12 1999

DOCKET NO.: IBIS-0007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

ECKER ET AL

Serial No.: 09/076,404

Group No.: 1643

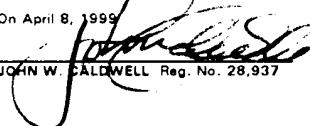
Filed: 5/12/98

Examiner: N/A

For: MODULATION OF MOLECULAR INTERACTION SITES ON RNA AND  
OTHER BIOMOLECULES

I, JOHN W. CALDWELL, Registration No. 28,937 certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On April 8, 1999

  
JOHN W. CALDWELL Reg. No. 28,937

Application Processing Division's  
Customer Correction Branch  
Assistant Commissioner for Patents  
Washington DC 20231

APR 14 1999  
GROUP 1B

SECOND REQUEST FOR CORRECTED FILING RECEIPT

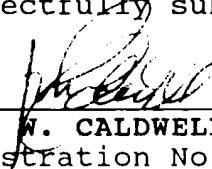
1. Attached is a copy of the Official Filing Receipt received from the PTO in the above application for which issuance of a Corrected Filing Receipt is respectfully requested.
2. There is an error with respect to the following data which is:
  - XX incorrectly entered; and/or
  - XX omitted.

<i>Error in</i>	<i>Correct data</i>
1. Applicant's name	1.
2. Applicant's address	2.
3. Title	3.
4. Filing Date	4.
5. Serial Number	5.
6. Foreign/PCT Application Re:	6.
7. Other: Small entity status omitted and filing fee received section is incorrect	7. Please note that on July 13, 1998 using the Certificate of Mailing stamp procedure an executed Small entity form with accompanying Request for Refund was filed. A copy of which is enclosed for your records. Since July 13, 1998 was a Monday the filing of the above is considered timely. Please issue a corrected filing receipt to reflect that this application has small entity status. Please credit our deposit account 23-3050 in the amount of \$395.00 since the small entity was filed within in the two month period from the filing of the application with accompanying Request for Refund.

3. (complete the following applicable item A or B)  
 A. XX The corrections are not due to any error by applicant and no fee is due.

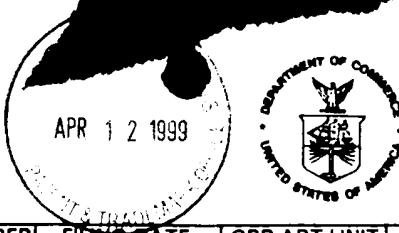
Respectfully submitted,

Date: April 8, 1999  
 WOODCOCK WASHBURN KURTZ  
 MACKIEWICZ & NORRIS LLP  
 One Liberty Place - 46th Floor  
 Philadelphia, PA 19103  
 (215) 568-3100

  
 JOHN W. CALDWELL

Registration No. 28,937

## FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUN 1 PKV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/076,404	05/12/98	1643	\$790.00	IBIS-0007	56	20	3

JOHN W CALDWELL  
WOODCOCK WASHBURN KURTZ MACKIEWICZ  
& NORRIS  
ONE LIBERTY PLACE 46TH FLOOR  
PHILADELPHIA PA 19103

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FEB 22 1999

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP

Receipt is acknowledged of this patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) DAVID J. ECKER, ENCINITAS, CA; RICHARD GRIFFEY, VISTA, CA; STANLEY T. CROOKE, CARLSBAD, CA; RANGA SAMPATH, SAN DIEGO, CA; ERIC SWAYZE, CARLSBAD, CA; VENKATRAMAN MOHAN, CARLSBAD, CA; STEVE HOFSTADLER, OCEANSIDE, CA.

FOREIGN FILING LICENSE GRANTED 06/16/98

TITLE

MODULATION OF MOLECULAR INTERACTION SITES ON RNA AND OTHER BIOMOLECULES

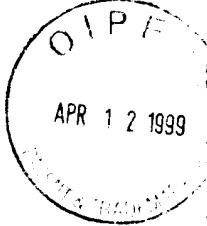
PRELIMINARY CLASS: 435

APR 14 1999

GROUP 1800

DATA ENTRY BY: DE LOATCH, PHYLLIS TEAM: 12 DATE: 12/15/98

(see reverse)

O I P  
APR 12 1999  
  
Applicant or Patentee: David J. Ecker, Richard Griffey, Stanley T. Crooke, Ranga Sampath,  
Eric Swayze, Venkatraman Mohan and Steve Hofstadler

Serial No.: 09/076,404

Attorney's Docket No.: IBIS-0007

Date Filed: May 12, 1998

For: MODULATION OF MOLECULAR INTERACTION SITES ON RNA AND  
OTHER BIOMOLECULES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- the owner of the small business concern identified below;
- an official empowered to act on behalf of the concern identified below:

**NAME OF CONCERN:**

ISIS Pharmaceuticals, Inc.

**ADDRESS OF CONCERN:**

2292 Faraday Avenue

Carlsbad, CA 92008

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: (1) the number of employees of the concern, including those of its affiliates, does not exceed 500 persons; and (2) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section.

For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **MODULATION OF MOLECULAR INTERACTION SITES ON RNA AND OTHER BIOMOLECULES** by inventor(s) **David J. Ecker, Richard Griffey, Stanley T. Crooke, Ranga Sampath, Eric Swayze, Venkatraman Mohan and Steve Hofstadler** described in

- specification filed herewith.
- application serial no. 09/076,404, filed May 12, 1998.

patent no. \_\_\_, issued \_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

**\*NOTE: Separate verified statements are required for each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)**

**FULL NAME:**

**ADDRESS:**

**( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION**

**FULL NAME:**

**ADDRESS:**

**( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

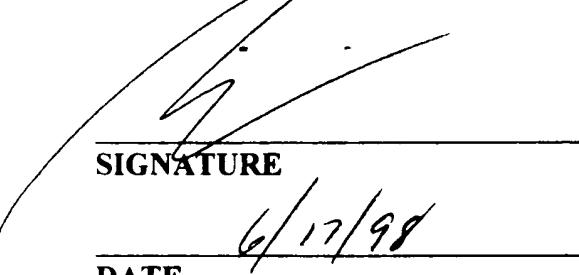
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**NAME OF PERSON SIGNING**  
**TITLE OF PERSON SIGNING**  
**ADDRESS OF PERSON SIGNING**

**B. Lynne Parshall, Esq.**  
**Executive Vice President**  
**2292 Faraday Avenue**  
**Carlsbad, CA 92008**

**SIGNATURE**

**DATE**



APR 12 1999

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Paper: Request for Refund; Executed Verified Statement Claiming  
Small Entity Status

Applicant(s): Ecker, et al.

Serial No.: 09/076,404  
Filed: May 12, 1998

Docket No.: IBIS-0007

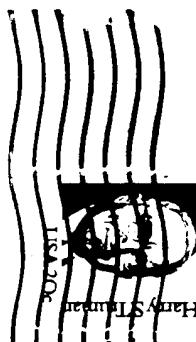
Date Sent: July 13, 1998 PKL:k.leader

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